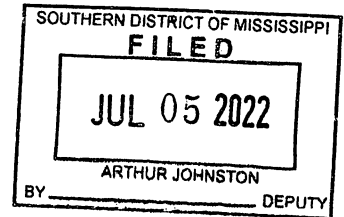


**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**



**KELIA DEFLANDERS AND
CARLOS MARK ROBERSON**

PLAINTIFFS

VERSUS

CAUSE NO. 1:22cv110 TBM-RPM

**SUN COAST RESOURCES, INC.,
BRENT ALAN RYDER,
AND JOHN DOES 1-10**

DEFENDANTS

JOINT NOTICE OF REMOVAL

COMES NOW, Defendants, **SUN COAST RESOURCES, INC.**, (hereinafter "Sun Coast"), and **BRENT A. RYDER**, through the undersigned counsel, and hereby gives Notice of Removal of this action from the Circuit Court of Jackson County, Mississippi, to the United States District Court for the Southern District of Mississippi, Southern Division pursuant to 28 U.S.C. § 1332, § 1441, and § 1446, and states as follows:

1. On June 13, 2022, Plaintiffs served upon Sun Coast's registered agent a Complaint styled Kelia Deflanders and Carlos Mark Roberson vs. Sun Coast Resources, Inc., Brent Alan Ryder, and John Does 1-10 Cause No. 22-110(2), in the Circuit Court of Jackson County, Mississippi. Attached hereto as Exhibit "A" is the Complaint.

2. The Complaint has not been served upon Defendant, BRENT ALAN RYDER, to date.

3. Pursuant to 28 U.S.C. §1446(b), a Notice of Removal shall be filed "within thirty (30) days of the date the Defendant was served with the Complaint as described above.

4. The instant Notice of Removal has been timely filed as it was filed "within thirty" (30) days of the date that the Defendant was served with the Complaint as described above.

5. In accordance with 28 U.S.C. §1446(a), the Defendant, Sun Coast, has attached a copy of the State Court Complaint in this action attached hereto as Exhibit "A."

6. In accordance with 28 U.S.C. §1446(d), as evidenced by the certificate of service attached to this Notice, Defendant, Sun Coast, has notified both the Clerk of the Circuit Court of Jackson County, Mississippi and Plaintiffs' attorney of record, J. Heath Sullivan, Esq., of this removal by serving them with copies of the within and forgoing Notice of Removal and all attachments.

7. The United States District Court for the Southern District of Mississippi, Southern Division, is the District Court for the District and the Division within which the state court action is pending.

8. Plaintiffs' Complaint alleges both Plaintiffs are both adult resident citizens of Jackson County, Mississippi.

9. Plaintiffs' Complaint correctly alleges Defendant, Brent Alan Ryder, is an adult resident citizen of Texas based on information and belief. Defendant, Sun Coast Resources, Inc., is a corporation formed under the laws of Texas with its principal place of business in Houston, Texas, and is registered to do business in Mississippi as a foreign corporation. (*See Ex. B.*)

10. Based upon the allegations of the Complaint, and pursuant to 28 U.S.C. §1332, this court has original jurisdiction over this matter as the dispute involves citizens of different states, the subject matter of this litigation took place in Moss Point, Mississippi, and the amount in controversy in this matter is in excess of \$75,000.00. Thus, removal is permitted pursuant to 28 U.S.C. §1441(a).

11. Plaintiffs' damages as alleged in the Complaint exceed the jurisdictional minimum of \$75,000. Therefore, this Court has original jurisdiction over the matter and Defendants may

remove the state claim to this Court pursuant to 28 U.S.C. §1441.

12. “[A]ny civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. §1441(a). Pursuant to 28 U.S.C. §1332(a), “the district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between [...] citizens of different States.”


13. Venue of this removed action is proper pursuant to 28 U.S.C. § 1441(a) because this Court is the United States District Court for the district and division embracing the place wherein the removed action is pending: the Circuit Court of Jackson County, Mississippi.

14. By filing this Notice of Removal, Defendants do not waive any defenses which may be available to them in state court.

WHEREFORE, PREMISES CONSIDERED, Defendant, **SUN COAST RESOURCES, INC.**, and, **BRENT A. RYDER**, respectfully pray the Court will receive this Notice of Removal, place it upon the docket of this Court and that the Circuit Court of Jackson County, Mississippi will proceed no further with this action save to forward its court to this Court.

Respectfully Submitted, this 1 day of July, 2022.

SUN COAST RESOURCES, INC.



TRISTAN RUSSELL ARMER (99883)
Attorney for Defendants, Sun Coast Resources, Inc.
and Brent Alan Ryder

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CERTIFICATE OF SERVICE

I, TRISTAN RUSSELL ARMER, of the law firm of Heidelberg Steinberger, P.A., do hereby certify that I have this day served, via US Mail, postage fully prepaid, a true and correct copy of the above and foregoing document, to the following:

J. Heath Sullivan, Esq.
Gulf South Law Firm, PLLC
1423 24th Avenue, Suite A
Gulfport, MS 39501
Attorney for Plaintiffs

Randy Carney
Circuit Clerk of Jackson County
P.O. Box 998
Pascagoula, MS 39568-0998

SO CERTIFIED, this 1 day of July, 2022.



TRISTAN RUSSELL ARMER (99883)

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